

**U.S. ENVIRONMENTAL PROTECTION AGENCY
PUBLIC NOTICE OF PROPOSED ADMINISTRATIVE PENALTIES
AND OPPORTUNITY TO COMMENT**

The Environmental Protection Agency (EPA) is providing notice of and the opportunity to comment on a proposed expedited storm water settlement for alleged violations of the Federal Water Pollution Control Act (Clean Water Act). 33 U.S.C. § 1251 to 1387. Such administrative enforcement proceedings are conducted under EPA's "Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and the Revocation, Termination or Suspension of Permits." 40 C.F.R. part 22 (Rules of Practice). The Rules of Practice outline how administrative actions and hearings are conducted, including how any person may comment on and participate in the action (see 40 C.F.R. § 22.44).

The Complainant in this action is EPA Region 8; 1595 Wynkoop Street, Denver, CO 80202-1129. The Respondent and other information are listed below.

EPA and Gordon Construction Company (Gordon) have agreed to enter into an expedited storm water settlement for violations of the storm water regulations. Gordon has agreed to pay a civil penalty of \$9,300 to settle alleged violations of the storm water regulations including: failure to conduct and/or document inspections as required by the permit; and failure to maintain Best Management Practices to minimize the discharge of sediment and other pollutants. These alleged violations occurred at the Safeway construction project in Missoula, Montana.

To receive a copy of any documents filed or other information in these proceeding or comment on the proposed assessments, please contact the Regional Hearing Clerk, Region 8 (8RC), 1595 Wynkoop Street, Denver, CO 80202-1129, (303) 312-6765. To comment on or participate in these proceedings, you must notify the Regional Hearing Clerk in writing within 40 days of this notice, including your name, complete mailing address, and a statement that you wish to participate in this proceeding. You will then be able to present written comments for the record while it is open, and be notified at least 20 days prior to hearing if one is scheduled, in order to present evidence.